

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, Plaintiff, vs. RAUL SANCHEZ-RIOS, Defendant.))))))))))	CASE NO. 8:07CR365 MEMORANDUM AND ORDER
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This matter is before the Court on the Report and Recommendation (Filing No. 35) issued by Magistrate Judge F.A. Gossett recommending denial of the Defendant's motion to suppress (Filing No. 18). No objections have been filed to the Report and Recommendation as allowed by 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3(a).

The Defendant seeks an order suppressing statements made by him to government agents, arguing that he did not knowingly or voluntarily waive his *Miranda* rights and that his statement was not voluntarily made. Judge F.A. Gossett determined: Special Agent Troy Zirker was credible; and the Defendant knowingly, voluntarily and intelligently waived his *Miranda* rights.

Notwithstanding the absence of objections, pursuant to 28 U.S.C. § 636(b)(1)(C) and NECrimR 57.3, the Court has conducted a de novo review of the record. The Court has read the Defendant's brief filed in support of his motion (Filing No. 19) and the transcript (Filing No. 36). The Court has also viewed the evidence. (Filing No. 31) The Court adopts the Report and Recommendation in its entirety, adding that the Defendant's statement was voluntarily made.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation (Filing No. 35) is adopted in its entirety;
2. In addition to the conclusions set out in the Report and Recommendation, this Court also concludes that the Defendant's statement was voluntarily made; and
2. The Defendant's motion to suppress (Filing No. 18) is denied.

DATED this 7th day of February, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge